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From: Cynthia McGarvie  
Date: November 21, 2005  
File: Shape Technologies  
File No.: 104-2877

Message:

**PLEASE SEE ATTACHED CORRESPONDENCE**

Attachments

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Atty Docket: P042877-06UT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Peter A. Jardine

Date: November 21, 2005

Serial No.: 10/734,812

Group Art Unit: 1775

Filed: December 11, 2003

Examiner: John J. Zimmerman

For: SHAPE MEMORY DEVICE HAVING TWO-WAY CYCLICAL SHAPE  
MEMORY EFFECT DUE TO COMPOSITIONAL GRADIENT AND METHOD OF  
MANUFACTUREVIA FACSIMILE: 1-571-273-8300

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

AMENDMENT

In response to the Office Action dated August 19, 2005, please amend the above-identified application as requested herein. Reconsideration of the application is respectfully requested based on the amendments, remarks and the attached declaration of the inventor.

FEE CALCULATION

Any additional fee required has been calculated as follows:

 If checked, "Small Entity" status is claimed.

| NO. CLAIMS AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | EXTRA PRESENT | RATE | ADDIT. FEE |
|----------------------------|---------------------------------|---------------|------|------------|
|                            |                                 |               |      |            |

|  |    |       |    |    |   |   |   |                     |       |
|--|----|-------|----|----|---|---|---|---------------------|-------|
| TOTAL  | 21 | MINUS | 20 | *  | = | 1 | X | (\$25 SE or \$50)   | 25.00 |
| INDEP.   | 4  | MINUS | 4  | ** | = | 0 | X | (\$100 SE or \$200) | 0.00  |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM |    |       |    |    |   |   |   |                     |       |
| * not less than 20 ** not less than 3          |    |       |    |    |   |   |   |                     |       |
| TOTALS 0.00                                    |    |       |    |    |   |   |   |                     |       |

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 500864.

#### CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 500864.

#### SUMMARY OF AMENDMENTS

1.  If checked, an abstract (an amended abstract) is submitted herewith.
2.  If checked, amendment(s) to the drawings are submitted herewith.
3.  If checked, amendment(s) to the specification are submitted herewith.
4.  If checked, amendment(s) to the claims are submitted herewith.

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